

The Board finds that OWCP improperly determined in this case that appellant's request for reconsideration was untimely filed. The time for requesting reconsideration of OWCP's January 21, 2014 decision expired on January 21, 2015. As appellant's request for

reconsideration was received on August 6, 2014, but was improperly scanned to file number xxxxxx095, it was timely filed.¹

Accordingly, the Board finds that appellant timely requested reconsideration of the January 21, 2014 merit decision. The case will be remanded for OWCP for application of the standard for reviewing timely requests for reconsideration.

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated May 22, 2015 is set aside. The case is remanded to OWCP for further proceedings consistent with this decision of the Board.

Issued: July 13, 2017
Washington, DC

Christopher J. Godfrey, Chief Judge
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

¹ See *Debra McDavid*, 57 ECAB 149 (2005).